

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MILLSTONE FUNDING INC.,

Plaintiff,

-against-

ORDER ADOPTING R&R
17-CV-5073 (DRH)(GRB)

GONZALEZ TILE and CELSO
GONZALEZ,

Defendants.

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HURLEY, Senior District Judge:

INTRODUCTION

Presently before the Court is the Report and Recommendation, dated February 27, 2019, of Magistrate Judge Gary R. Brown recommending that the Court: (1) grant Millstone Funding, Inc.'s ("Plaintiff's") motion for default judgment against Defendants Gonzalez Tile and Celso Gonzalez ("Defendants"); (2) award damages to Plaintiff in an amount of \$106,538.41; and (3) award *per diem* pre-judgment interest in the amount of \$26.28 from December 30, 2016, until the date of this Order. The time to file objections has expired, and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. As such, the Court adopts the February 27, 2019 Report and Recommendation of Judge Brown as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for default judgment is granted and Plaintiff is awarded damages against Defendants in the amount of \$106,583.41, plus *per diem* pre-judgment interest in the amount of \$26.28 from December 30, 2016, until the date of this Order.

The Clerk of Court is directed to enter judgment accordingly and close the case.

Dated: Central Islip, N.Y.
March 22, 2019

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge